

**ORDINANCE NO.** 1999-10-064

**AN ORDINANCE RELATING TO THE DISPOSITION OF SURPLUS PROPERTY,  
AMENDING BELLINGHAM MUNICIPAL CODE 4.86.**

**WHEREAS**, Bellingham Municipal Code (BMC) 4.86 authorizes the disposal of property other than real estate; and,

**WHEREAS**, the procedures for disposal of personal property at various value levels has not been modified for ten years or more; and,

**WHEREAS**, the procedures for disposal of personal property at varying values needs to be reconsidered in light of inflation and increased price costs; and,

**WHEREAS**, enacting the modifications contained herein will be in the best interests of the citizens of the City of Bellingham;

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1. Bellingham Municipal Code 4.86.010 is hereby amended as follows:**

**4.86.010 – Purpose**

This chapter establishes procedures for the disposition of property, other than real estate, which is “surplus” to the needs of the city. “Surplus” is defined for purposes of this chapter to mean any tangible, personal property owned by the City that is not needed at present or in the foreseeable future or that is no longer of value or use to the City. It is the intention of council that the procedures set forth in this chapter are preferred over others; therefore, special procedures called for

under other legislation are to be deemed exceptions to this chapter, and their use is to be limited accordingly. (Ord. 8916 §1, 1980.)

**Section 2. BMC 4.86.045 is hereby amended as follows:**

**4.86.045 – Property Worth One Thousand Dollars Or Less**

If the property is not needed by the city and the estimated value is one thousand dollars or less, the purchasing manager may dispose of the property in any manner deemed to be in the City's best interests, as defined in BMC 4.86.080, without reporting the matter to City Council. (Ord. 9895, 1989; Ord. 9436 §2, 1985)

**Section 3. BMC 4.86.050 is hereby amended as follows:**

**4.86.050 – Procedure – Property Of A Value Greater Than One Thousand Dollars And Less Than Twenty Thousand Dollars**

- A. If the surplus property has an estimated value between \$1,000.01 and \$19,999.99, the purchasing manager may dispose of the surplus property in one of the specifically approved methods listed hereinbelow without submitting a report to City Council:
1. Public auction;
  2. Solicitation of written bids;
  3. Negotiated sale to one or more designated buyers;
  4. Transfer to another agency of government at or below reasonable market value.
- B. Alternatively, the purchasing manager may request City Council's authorization to dispose of the surplus property in another manner.

- C. If the purchasing manager cannot dispose of the property in one of the methods specified herein, the purchasing manager shall notify City Council and recommend further action. City Council will then direct the surplus property's disposition.
- D. The purchasing manager shall ensure that the proper fund is credited with any resulting proceeds. (Ord. 9436 3, 1985; Ord. 8916 §5, 1980.)

**Section 4. BMC 4.86.060 is hereby amended as follows**

**4.86.060 – Procedure – Property Of A Value Of Twenty Thousand Dollars Or More**

Disposition of surplus property of a value of twenty thousand dollars or more must be approved by a majority of the City Council. The procedure is as follows:

- A. The finance committee shall review the report of the purchasing manager at a public meeting, and shall then either give further directions to the purchasing manager, or make its recommendations to the full council, which has final authority to determine how the disposal will be carried out.
- B. The purchasing manager shall carry out the directions of the finance committee or the full council with the assistance of the department owning the property.
- C. If the City Council directs the surplus property's disposal, the purchasing manager shall then dispose of the property in the manner specified by Council and shall ensure that the proper fund is credited with any resulting proceeds. If either the finance committee or the full City Council shall not approve disposing of the surplus property, the finance committee or the full City Council shall give the purchasing manager directions for further action.

- D. If the purchasing manager cannot dispose of the property in the manner specified by Council, the purchasing manager shall report this fact to the Council and make a recommendation for further action.

**Section 5. BMC 4.86.080 is hereby amended as follows:**

**4.86.080 – Guidelines For Decision**

The disposition of all surplus personal property under this chapter shall be done in a manner that is in the City's best interests. Factors to consider in determining the City's best interests include but are not limited to:

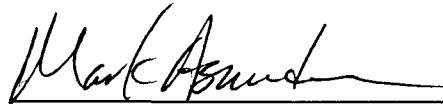
- A. Possible future requirements of the city;
- B. Present value of the property;
- C. Likelihood of locating a buyer;
- D. Intergovernmental cooperation;
- E. The general welfare of the citizens of the city.

(Ord. 8916 §8, 1980.)

**PASSED BY COUNCIL THIS 11th DAY OF October, 1999.**

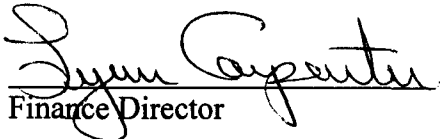
  
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Gene Knutson, Council President

APPROVED BY ME THIS 20<sup>th</sup> DAY OF October, 1999.

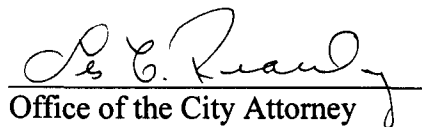


Mark Asmundson, Mayor

Attest:

  
Finance Director

Approved as to Form:

  
Office of the City Attorney

Published: 10/15/99